

**BEFORE THE MISSOURI PUBLIC SERVICE COMMISSION**

**APPLICATION OF SOCKET TELECOM, )  
LLC FOR APPROVAL OF DIRECTORY )  
SERVICES AGREEMENT WITH )  
CENTURYTEL OF MISSOURI, LLC )  
PURSUANT TO § 252(e) OF THE ) CASE NO. \_\_\_\_\_  
TELECOMMUNICATIONS )  
ACT OF 1996 )  
)  
)  
)**

**APPLICATION FOR APPROVAL OF DIRECTORY SERVICES AGREEMENT  
BETWEEN SOCKET TELECOM, LLC  
AND  
CENTURYTEL OF MISSOURI, LLC**

COMES NOW Socket Telecom, LLC ("Socket") and for its application for approval of a Directory Services Agreement with CenturyTel of Missouri, LLC pursuant to § 252(e) of the Telecommunications Act of 1996 ("the Federal Act"), 4 CSR 240-3.513, 4 CSR 240-2.040, 4 CSR 240-2.060, and 4 CSR 240-2.080, states to the Commission as follows:

**I. Parties**

1. Socket is a Missouri limited liability corporation in good standing duly authorized to conduct business in Missouri with regulatory offices at 1005 Cherry Street, Suite 104, Columbia, Missouri 65201. Socket is authorized as a competitive local exchange and interexchange carrier under certificates granted and tariffs approved by the Commission. A certificate of good standing to conduct business in Missouri was recently submitted in Case No. TT-2006-0113 and is incorporated herein by reference pursuant to Commission Rule 4 CSR 240-2.060(1)(G).

2. Socket can be reached as follows:

Matt Kohly  
Socket Telecom, LLC  
1005 Cherry Street, Suite 104  
Columbia, Missouri 65201  
573-777-1991 x551  
573-441-1050 (fax)  
mkohly@sockettelecom.net

3. All inquiries, correspondence, communications, pleadings, notices, orders and decisions relating to this Application should be directed to Socket through its counsel:

Carl J. Lumley  
Leland B. Curtis  
Curtis, Heinz, Garrett & O'Keefe, PC  
130 S. Bemiston, Suite 200  
Clayton, Missouri 63105  
Telephone: (314) 725-8788  
Facsimile: (314) 725-8789  
Email: clumley@lawfirmemail.com  
lcurtis@lawfirmemail.com

4. CenturyTel is a Louisiana limited liability corporation that is duly authorized to do business in the State of Missouri with its primary business address in Missouri at 1151 CenturyTel Drive, Wentzville, Missouri 63385. Copies of CenturyTel's Certificate of Authority to transact business in Missouri from the Missouri Secretary of State were filed in Case No. TM-2002-232, and are incorporated herein by reference pursuant to Commission Rule 4 CSR 240-2.060(1)(G). CenturyTel is a "local exchange telecommunications company" and a "public utility," and is duly authorized to provide "telecommunications service" within the State of

Missouri as each of those terms is defined in Section 386.020, RSMo. 2000. It is an incumbent local exchange carrier as defined in Section 251(h) of the Telecommunications Act of 1996.

5. CenturyTel can be reached as follows:

Arthur P. Martinez  
CenturyTel of Missouri, LLC  
220 Madison Street  
Jefferson City, Missouri 65101  
573-634-8424  
573-636-6826 (fax)  
Arthur.martinez@centurytel.com

6. All inquiries, correspondence, communications, pleadings, notices, orders and decisions relating to this Application should be directed to CenturyTel through its counsel:

Larry W. Dority  
Fischer & Dority  
101 Madison Street, Suite 400  
Jefferson City, Missouri 65101  
573-636-6758  
573-637-0383 (fax)  
lwdority@sprintmail.com

## **II. Allegations of Fact**

7. CenturyTel and Socket are currently interconnecting and exchanging traffic pursuant to the terms of the interconnection agreement (the Agreement) originally made between AT&T Communications of the Southwest, Inc. and GTE Midwest, Inc. and adopted by Socket in Commission Case No. TK-2002-1085. An application to approve an amendment to the agreement is currently pending in Case No. TK-2006-0175. The Commission should take notice of the Agreement, Socket's adoption thereof, the pending amendment, and its related orders and proceedings which are contained in its files and incorporated herein by this reference.

8. Socket presents to this Commission for approval a Directory Services Agreement, attached hereto as Exhibit 1, negotiated and executed pursuant to the terms of the Federal Act. All issues have been successfully negotiated and agreed upon. No arbitration of any issue is required. Both parties have signed the document. The Directory Services Agreement constitutes the full agreement of the parties and there are no side agreements related thereto.

9. Socket seeks the Commission's approval of the Directory Services Agreement with CenturyTel, consistent with the provisions of the Federal Act and Missouri law. Implementation of the Directory Services Agreement complies fully with § 252(e) of the Federal Act because it is non-discriminatory and consistent with the public interest, convenience and necessity. The Directory Services Agreement will promote diversity in providers and will lead to increased customer choices for telecommunications services.

10. Socket understands that CenturyTel does not believe that it is necessary under 252(e) to submit the Directory Services Agreement to the Commission for approval, but that CenturyTel does not object to this particular submission.

11. Socket respectfully requests that the Commission grant approval of the Directory Services Agreement without change, suspension, or other delay in implementation. This is a bilateral document, entered into as a result of negotiations and compromise between competitors, and Socket believes that procedures for review of the document should be designed to permit expeditious implementation thereof, and that interventions should be strictly limited consistent with the scope of review specified by the Federal Act and the Commission's applicable rules.

12. The Applicable standard of review is set forth in § 252(e) of the Federal Act and provides as follows:

(e) APPROVAL BY STATE COMMISSION –

- (1) APPROVAL REQUIRED – Any interconnection agreement adopted by negotiation or arbitration shall be submitted for approval to the State commission. A State commission to which an agreement is submitted to shall approve or reject the agreement, with written findings as to any deficiencies.
- (2) GROUNDS FOR REJECTION – The State commission may only reject –
  - (A) an agreement (or any portion thereof) adopted by negotiation under subsection (a) if it finds that –
    - (i) the agreement (or portion thereof) discriminates against a telecommunications carrier not a party to the agreement; or
    - (ii) the implementation of such agreement or portion is not consistent with the public interest, convenience and necessity.

13. Socket does not have any pending actions or unsatisfied final judgments or decisions against it from any state or federal agency or court which involve customer service or customer rates, which action, judgment or decision has occurred within three years of the date of this Application.

14. Socket does not have any overdue annual reports or assessment fees.

WHEREFORE, Socket respectfully requests that the Commission approve the Directory Services Agreement with CenturyTel of Missouri, LLC and grant additional relief as the Commission deems proper and reasonable.

Respectfully submitted,

/s/ Carl J. Lumley

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Carl J. Lumley MBE 32869  
Leland B. Curtis MBE 20550  
Curtis, Heinz, Garrett & O'Keefe, PC  
130 S. Bemiston, Suite 200  
Clayton, Missouri 63105  
Telephone: (314) 725-8788  
Facsimile: (314) 725-8789  
Email: clumley@lawfirmemail.com  
lcurtis@lawfirmemail.com

ATTORNEYS FOR SOCKET TELECOM, LLC

#### CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of this document was served upon the parties listed below on this 28th day of November, 2005 by email or by placing same in the U.S. Mail, postage prepaid.

/s/ Carl J. Lumley

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Carl J. Lumley

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PO Box 7800  
Jefferson City, Missouri 65102  
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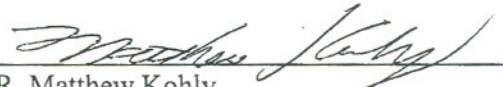
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COUNTY OF BOONE       )  
                                  )  
STATE OF MISSOURI     )       SS

**VERIFICATION**

I, R. MATTHEW, KOHLY, first being duly sworn, state on my oath that I am over the age of twenty-one years, sound of mind, and an employee of Socket Telecom, LLC. I am authorized to act on behalf of Socket Telecom, LLC, regarding the foregoing document. I have read the foregoing pleading and I am informed and believe that the matters contained therein are true. Further, I hereby confirm that Carl J. Lumley, Leland B. Curtis, and Curtis, Heinz, Garrett & O'Keefe, P.C., 130 S. Bemiston, Suite 200, Clayton, Missouri 63105, are authorized to sign all pleadings and documents necessary to obtain the decision of the Missouri Public Service Commission on the foregoing, and to represent Socket Telecom, LLC in this proceeding.

  
R. Matthew Kohly

On this 23<sup>rd</sup> day of November, 2005, before me, a Notary Public, personally appeared R. Matthew Kohly, and being first duly sworn upon his oath stated that he is over twenty-one years, sound of mind and an employee of Socket Telecom, LLC, he signed the foregoing document as an employee of Socket Telecom, LLC, and the facts contained therein are true and correct according to the best of his information, knowledge and belief.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal in the County and State aforesaid, the day and year above-written.

  
Notary Public

My Commission Expires:

